

11/27/01
11135 U.S. PTO

H
PA
PATENT
Customer Number 22,852
Attorney Docket No. 05884.0020-03000
(ELL004-CON1)

11/27/01
JC97-96/963665 PRO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS
Washington, D.C. 20231

Prior Application Art Unit: 3278 Prior Application Examiner: A. Stashick

SIR: This is a request for filing a

Continuation Application under 37 C.F.R. § 1.53(b) of pending prior U.S. Application No. 08/452,490, filed May 30, 1995, which is a continuation of U.S. Application No. 08/142,120, filed October 28, 1993, now abandoned, which is a continuation of U.S. Application No. 07/830,747, filed February 7, 1992, now abandoned, which is a continuation of U.S. Application No. 07/416,478, filed October 3, 1989, now abandoned, of Frampton E. Ellis, III, for SHOE SOLE STRUCTURES.

1. Enclosed is a complete copy of the prior application including drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior U.S. Application No. 07/416,478, as originally filed on October 3, 1989, which is incorporated herein by reference.
2. Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. Cancel Claims _____.
5. A Preliminary Amendment is enclosed.
6. The filing fee, including the extra claims fee, is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	20	-	20	0	x \$18	0.00
Independent Claims	4	-	3	1	x \$84	\$ 84.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	
Subtotal						\$ 824.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 824.00

7. This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant awaits notification from the Patent and Trademark Office of the time set for paying the filing fee.

8. The Commissioner is hereby authorized to charge any other fees not accounted for above, with the exception of the filing fee, which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

9. Amend the specification by inserting before line 2 on page 1, the following new paragraph:

--This is a continuation of U.S. Application No. 08/452,490, filed May 30, 1995, which is a continuation of U.S. Application No. 08/142,120, filed October 28, 1993, now abandoned, which is a continuation of U.S. Application No. 07/830,747, filed February 7, 1992, now abandoned, which is a continuation of U.S. Application No. 07/416,478, filed October 3, 1989, now abandoned, all of which are hereby incorporated by reference.--

10. New formal drawings are enclosed.

11. The prior application is assigned of record to: Anatomic Research, Inc.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

12. Priority of application Serial No. _____, filed on _____ in _____ is claimed under 35 U.S.C. § 119. A certified copy
 is enclosed or is on file in the prior application.

13. Small entity status is appropriate and applies to this application.

14. The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; David A.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

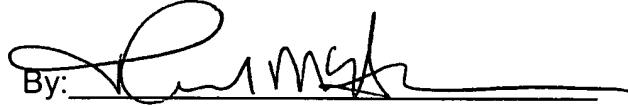
Manspeizer, Reg. No. 37,540; John Rissman, Reg. No. 33,764; M. Lawrence Oliverio, Reg. No. 30,915; and Roland G. McAndrews, Jr., Reg. No. 41,450.

15. The power appears in the original declaration of the prior application.
16. Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
18. Recognize as associate attorney _____
19. Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent U.S. Application No. 08/452,490, filed May 30, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 27, 2001

By: 

Roland G. McAndrews, Jr.
Reg. No. 41,450

238491_1

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

PATENT
Customer Number 22,852
Attorney Docket No. 05884.0020-03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re 53(b) Continuation Application of:)
Application No.: 08/452,490) Prior Group Art Unit: 3278
)
Inventor: Frampton E. ELLIS, III) Prior Examiner: A. Stashick
)
Filed: November 27, 2001)
)
For: SHOE SOLE STRUCTURES)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

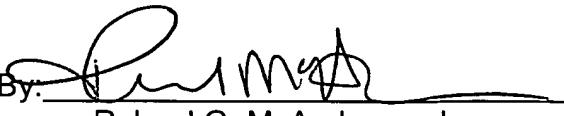
SUBMISSION OF FORMAL DRAWINGS

Subject to the approval of the Examiner, please replace the informal drawings with the eight (8) sheets of formal drawings filed herewith (Figs. 1-15F). If the formal drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Roland G. McAndrews, Jr.
Reg. No. 41,450

Dated: November 27, 2001

238784_1